

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

MARTIN LUTHER OSBORNE,

Plaintiff,

vs.

ETOWAH COUNTY NARCOTICS TASK
FORCE and ETOWAH COUNTY SHERIFF'S
DEPARTMENT,

Defendants.

CV-03-PT-0846-M

ENTERED
AUG 05 2004

MEMORANDUM OF OPINION

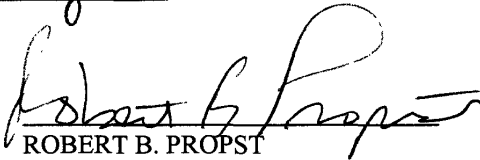
The magistrate judge filed a report and recommendation on July 12, 2004, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed as frivolous pursuant to 28 U.S.C. § 1915A(b)(1). No objections have been filed.¹

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the

¹ The copy of the report and recommendation entered in this case mailed to the plaintiff at the last address given to the court was returned marked "EOS", indicating that the inmate has served his sentence, and "Not Of This Facility". A court employee contacted the Alabama Department of Corrections in an attempt to locate the plaintiff, but was informed that the Alabama Department of Corrections did not have a forwarding address on record for plaintiff.

complaint is due to be dismissed as frivolous pursuant to 28 U.S.C. § 1915A(b)(1). A Final Judgment will be entered.

DATED this 3rd day of August, 2004.


ROBERT B. PROPST
UNITED STATES DISTRICT JUDGE